

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARIADNA JACOB and INFLUENCES, INC.

No.: 1:21-cv-06807-ER

Plaintiffs,

-against-

TAYLOR LORENZ, and THE NEW YORK TIMES
COMPANY,

Defendants.

**PLAINTIFFS ARIADNA JACOB AND INFLUENCES, INC.'S
NOTICE OF SUPPLEMENTAL AUTHORITY IN OPPOSITION TO
DEFENDANTS THE NEW YORK TIMES COMPANY AND TAYLOR LORENZ'S
MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT**

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Plaintiffs Ariadna Jacob and Influences, Inc. (together, “Plaintiffs”), hereby provide the Court with supplemental authority in support of their Memorandum of Law in Opposition to Defendants The New York Times Company and Taylor Lorenz’s (together, “Defendants”) Motion to Dismiss Plaintiffs’ Second Amended Complaint (the “Motion”).

On May 10, 2023, the Court of Appeal of the State of California, Second Appellate District, Division Eight, decided *Collins v. Waters*, --- Cal. Rptr. 3d ---, 2023 WL 3331551 (Cal. Ct. App. May 10, 2023), a copy of which is attached hereto as **Exhibit A**. While not binding on this Court, the *Collins* decision involved considerable discussion of the constitutional actual malice standard, including how willful blindness by a defendant who is “committed to the project and would rather not know [the truth]” and engages in a “purposeful effort to maintain plausible deniability” is probative of actual malice. *Id.* at pp. 2, 12, 16–18. These are the same types of allegations Plaintiffs make in their defamation claim against Defendants.

Plaintiffs respectfully request that the Court consider *Collins* as persuasive authority in deciding the pending Motion.

Dated: May 18, 2023

DHILLON LAW GROUP INC.

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of May 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which I understand to have caused service on all counsel of record.

/s/ Harmeet K. Dhillon
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